

Appl. No. 10/802,156

Amdt. Dated October 30, 2008

Reply to Office Action of June 30, 2008

AMENDMENTS

Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A holder for securing a flexible bag within a trash container having a container sidewall defining a bag-receiving area and having a rim at an upper end of the sidewall and over which the flexible bag is secured, the holder comprising:

~~a sidewall defining a bag-receiving area and having an upper rim,~~

a bag-retaining surface integral to and projecting from the container sidewall in a rearward direction opposite the bag-receiving area, and

~~a locking portion defining a recess, wherein the locking portion and the recess [[are]]~~
confined to the bag-retaining surface and positioned outside the bag-receiving area do not
contact the adjacent upper rim, and

a locking member having a bag-retaining notch therein and carried on the surface ~~by the~~
~~locking portion~~ for movement between a release position and a locking position, wherein the
notch is entirely within the recess, and below the surface, when in the locking position and the
locking member does not contact the upper rim.

2. (Cancelled)

3. (Original) The holder of claim 1, and further comprising a pivot structure supporting the
locking member for pivotal movement between its release and locking positions.

4. (Original) The holder of claim 3, wherein the pivot structure includes a pivot shaft
extending across the recess.

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5. (Original) The holder of claim 4, wherein the notch is a first notch, the locking member including a second notch adapted to receive the pivot shaft therein.
 6. (Original) The holder of claim 5, wherein the second notch includes a part-cylindrical portion and a tapered portion communicating with the part-cylindrical portion at a throat having a width slightly less than the diameter of the part-cylindrical portion.
 7. (Original) The holder of claim 1, wherein the locking member includes a handle tab accessible by a user to facilitate movement of the locking member between its locking and release positions.
- 8 - 17 (Cancelled)